



# PUBLIC NOTICE

## FILE # NRS16.015

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Pursuant to Chapter 0400-4-7 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

**FILE NUMBER:** NRS16.015

**APPLICANT:** Mr. David Blackwood  
West TN River Basin Authority  
3628 East End Drive  
Humboldt, TN 38243  
731-784-8173

**LOCATION:** Baxter Creek East of George D. Gracey Hwy, North of Mason Malond Road, South of R.W. Anderson Rd, Tipton County, TN (Latitude: 35.4525/Longitude: -89.5644)

**PROJECT DESCRIPTION:**

Impact 1: Latitude: 35.4525                      Longitude: -89.5644  
Baxter Bottoms including Baxter Creek and East Beaver Creek

The applicant proposes to restore 7,735 feet of Baxter Creek by digging a pilot channel 12 feet wide and 3 feet deep along 6,780 feet of the main channel and 955 feet of a tributary channel. Historically, the channel had been straightened but over time sediment deposition and beaver activity has resulted in a relatively flat grade, silt dams and impoundments eliminating the streams ability to convey flow and move bedload. The proposed pilot channel would open a flowing channel and add meanders to encourage natural stream and floodplain restoration. Upon completion trees would be planted along the riparian area out to 30 feet along each side of the entire restoration and cover seeded with a native seed mix including round stone short meadow. Seeding would also occur within the channel curves and riffles including excelsior matting along the outer stream bank curves.

**DETERMINATIONS:** In accordance with the Tennessee Antidegradation Statement (Rule 0400-40-03-.06), the division has determined that the proposed activities would result in less than de minimus degradation to water quality.

**WATERSHED / WATERBODY DESCRIPTION:** Baxter Creek flows into the Loosahatchie River Watershed. This watershed is located in West Tennessee and includes parts of Fayette, Hardeman, Haywood, Shelby and Tipton County counties It is approximately 738 square miles and drains to the Mississippi River. See more at: <http://tn.gov/environment/article/wr-ws-loosahatchie-river-watershed#sthash.vbSw4nnt.dpuf>.

Baxter Creek (TN08010209016\_0310) is in the Loess Plains (74b) ecoregion. The channel dimensions are as follows: existing channel width is variable due to impoundment and braiding across the floodplain, water depth is also variable, and bank height 1-3 feet. Typical substrate in this section is comprised of silt and sand.

Baxter Creek (TN08010209016\_0310) was assessed in 2014. It is not supporting its designated uses for fish and aquatic life due to channelization. Therefore the stream is available for the proposed restoration activity.

**Stream Name / ID #:** Baxter Creek (TN08010209016\_0310)

**Ecoregion:** Loess Plains (74b)

**Stream Dimension:** Channel width variable  
Water depth variable  
Bank height 1-3'

**Substrate:** silt/sand

**Designated Use**

Fish and aquatic life

Recreation

Industrial water supply

Irrigation

Livestock watering & wildlife

**Use Support**

not supporting

fully supporting

fully supporting

fully supporting

fully supporting

**Causes**

channelization

**Assessment Date:** 2014

**PERMIT COORDINATOR:** Brian Canada

**FACTORS CONSIDERED:** In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

**COMMENTING:** Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the department's address listed below and to the attention of the permit coordinator.

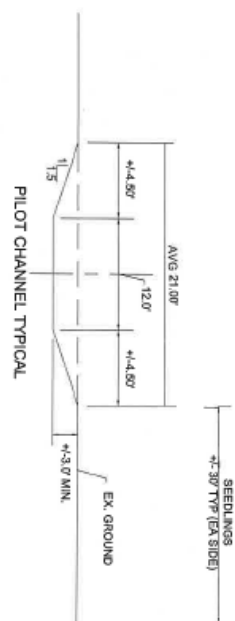
**PUBLIC HEARING:** Interested persons may request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing. Send all public hearing request to the department's address listed below and to the attention of the permit coordinator.

**APPEAL:** A permit appeal may be filed, pursuant to T.C.A. §§ 69-3-105(i) and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas at the following address: Tisha Benton, Director, Division of Water Resources, William R. Snodgrass Tennessee Tower, 312 Rosa L. Parks Ave, 11<sup>th</sup> floor, Nashville, TN 37243. Any hearing would be in accordance with T.C.A. §§69-3-110 and 4-5-301 et seq.

**FILE REVIEW:** The permit application, supporting documentation including detailed plans and maps, and related comments are available for review on the internet at the department's data viewer at: <http://www.tn.gov/environment/article/wr-water-resources-data-viewer>. The file may be viewed in person at the department's address (listed below) for review and/or copying.

Tennessee Department of Environment & Conservation  
Division of Water Resources, Natural Resources Unit  
William R. Snodgrass Tennessee Tower  
312 Rosa L. Parks Avenue, 11th Floor  
Nashville, Tennessee 37243





TN DEPT OF ENVIRONMENT  
AND CONSERVATION

JAN 21 2016

DIV OF WATER RESOURCES  
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